

**Robert Hamilton, OSB No. 012730
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Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

Case No. 3:20-cr-00436-IM-1

Plaintiff,

v.

**KRISTOPHER MICHAEL
DONNELLY,**

**DECLARATION OF COUNSEL IN
SUPPORT OF UNOPPOSED
MOTION TO CONTINUE TRIAL
DATE**

Defendant.

I, Robert Hamilton, declare:

1. I am the attorney appointed to represent Kristopher Michael Donnelly in the above-entitled case.
2. A jury trial in this case is currently scheduled for August 17, 2021. Mr. Donnelly was arraigned on September 25, 2020. Three continuances have been sought by the defense.

3. The government has proposed a settlement whereby this case will be dismissed if a resolution is reached in the state court case involving related charges (*State of Oregon v. Donnelly*, 20CR43037). Call has been held in the state matter on 7/19/2021, 7/29/2021, and is scheduled for a plea or new dates on 8/5/2021. State defense counsel has reported that they are just awaiting the written offer from the Deputy District Attorney on the case, but she was uncertain whether they would have the offer by the 8/5/2021 call date. Mr. Donnelly therefore respectfully requests that this Court continue his case for a period of approximately 60 days or more for the state case to resolve, at which time the federal case will be dismissed.

4. I have discussed with Mr. Donnelly his right to a speedy trial. He agrees to the continuance and knows it will result in excludable delay under the provisions of 18 U.S.C. § 3161(h)(7)(A) of the Speedy Trial Act.

5. Assistant United States Attorney Thomas Ratcliffe has no objection to this motion.

6. I make this motion in good faith and not for the purpose of delay.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and belief and that this declaration was executed on August 3, 2021, in Portland, Oregon.

/s/ Robert Hamilton

Robert Hamilton
Assistant Federal Public Defender